

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION**

**UNITED STATES OF AMERICA**

**No. 3:08-CR-00095-KI**

**v.**

**SUPERSEDING INDICTMENT**

**ANDREW FRANKLIN KOWALCZYK,**

**[18 U.S.C. §§ 2251(a), 2251(e) and 2253]**

**Defendant.**

**THE GRAND JURY CHARGES:**

**COUNT ONE:**

**[Sexual Exploitation of Children]**

On or about and between April 21, 2005, and April 25, 2005, at the Econo Lodge Inn, located on Northeast Sandy Boulevard in Portland, in the District of Oregon, **ANDREW FRANKLIN KOWALCZYK**, defendant herein, knowingly employed, used, persuaded, induced, enticed, and coerced a minor female ("A.B.") to engage in sexually explicit conduct, including sexual intercourse and the lascivious exhibition of the genitals and the pubic area of said minor, for the purpose of producing visual depictions of such conduct, said visual depictions having been transported in interstate commerce, and having been produced using materials that were mailed, shipped, and transported in interstate or foreign commerce by any means, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

**COUNT TWO:**  
**[Sexual Exploitation of Children]**

On or about and between April 21, 2005, and April 25, 2005, at the Econo Lodge Inn, located on Northeast Sandy Boulevard in Portland, in the District of Oregon, **ANDREW FRANKLIN KOWALCZYK**, defendant herein, knowingly employed, used, persuaded, induced, enticed, and coerced a minor female ("S.B.") to engage in sexually explicit conduct, including sexual intercourse and the lascivious exhibition of the genitals and pubic area of said minor, for the purpose of producing visual depictions of such conduct, said visual depictions having been transported in interstate commerce, and having been produced using materials that were mailed, shipped, and transported in interstate or foreign commerce by any means, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

**COUNT THREE:**  
**[Sexual Exploitation of Children]**

On or about and between April 27, 2005, and April 29, 2005, at the Motel 6, located on Southeast Stark Street in Portland, in the District of Oregon, **ANDREW FRANKLIN KOWALCZYK**, defendant herein, knowingly employed, used, persuaded, induced, enticed, and coerced a minor female ("A.B.") to engage in sexually explicit conduct, including sexual intercourse and the lascivious exhibition of the genitals and pubic area of said minor, for the purpose of producing visual depictions of such conduct, said visual depictions having been transported in interstate commerce, and having been produced using materials that were mailed, shipped, and transported in interstate or foreign commerce by any means, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

**COUNT FOUR:**  
**[Sexual Exploitation of Children]**

On or about and between April 27, 2005, and April 28, 2005, at the Motel 6, located on Southeast Stark Street in Portland, in the District of Oregon, **ANDREW FRANKLIN KOWALCZYK**, defendant herein, knowingly employed, used, persuaded, induced, enticed, and coerced a minor female ("S.B.") to engage in sexually explicit conduct, including sexual intercourse and the lascivious exhibition of the genitals and pubic area of said minor, for the purpose of producing visual depictions of such conduct, said visual depictions having been transported in interstate commerce, and having been produced using materials that were mailed, shipped, and transported in interstate or foreign commerce by any means, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

**COUNT FIVE:**  
**[Sexual Exploitation of Children]**

On or about and between May 8, 2005, and June 9, 2005, at the Madison Suites Motel, located on Northeast 82<sup>nd</sup> Avenue in Portland, in the District of Oregon, **ANDREW FRANKLIN KOWALCZYK**, defendant herein, knowingly employed, used, persuaded, induced, enticed, and coerced a minor female ("A.B.") to engage in sexually explicit conduct, including sexual intercourse and the lascivious exhibition of the genitals and pubic area of said minor, for the purpose of producing visual depictions of such conduct, said visual depictions having been transported in interstate commerce, and having been produced using materials that were mailed, shipped, and transported in interstate or foreign commerce by any means, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

**COUNT SIX:**  
**[Sexual Exploitation of Children]**

On or about and between May 8, 2005, and June 4, 2005, at the Madison Suites Motel, located on Northeast 82<sup>nd</sup> Avenue in Portland, in the District of Oregon, **ANDREW FRANKLIN KOWALCZYK**, defendant herein, knowingly employed, used, persuaded, induced, enticed, and coerced a minor female ("S.B.") to engage in sexually explicit conduct, including sexual intercourse and the lascivious exhibition of the genitals and pubic area of said minor, for the purpose of producing visual depictions of such conduct, said visual depictions having been transported in interstate commerce, and having been produced using materials that were mailed, shipped, and transported in interstate or foreign commerce by any means, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

**COUNT SEVEN:**  
**[Sexual Exploitation of Children]**

On or about and between June 16, 2005, and June 24, 2005, at the Parkway East Apartments, located on Southeast Powell Boulevard in Portland, in the District of Oregon, **ANDREW FRANKLIN KOWALCZYK**, defendant herein, knowingly employed, used, persuaded, induced, enticed, and coerced a minor female ("D.L.") to engage in sexually explicit conduct, including sexual intercourse and the lascivious exhibition of the genitals and pubic area of said minor, for the purpose of producing visual depictions of such conduct, said visual depictions having been transported in interstate commerce, and having been produced using materials that were mailed, shipped, and transported in interstate or foreign commerce by any means, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).



**COUNT EIGHT:**  
**[Sexual Exploitation of Children]**

On or about September 10, 2005, at the Parkway East Apartments, located on Southeast Powell Boulevard in Portland, in the District of Oregon, **ANDREW FRANKLIN KOWALCZYK**, defendant herein, knowingly employed, used, persuaded, induced, enticed, and coerced a minor female ("A.B.") to engage in sexually explicit conduct, including sexual intercourse and the lascivious exhibition of the genitals and pubic area of said minor, for the purpose of producing visual depictions of such conduct, said visual depictions having been transported in interstate commerce, and having been produced using materials that were mailed, shipped, and transported in interstate or foreign commerce by any means, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

**COUNT NINE:**  
**[Sexual Exploitation of Children]**

On or about and between September 10, 2005, and September 11, 2005, at the Parkway East Apartments, located on Southeast Powell Boulevard in Portland, in the District of Oregon, **ANDREW FRANKLIN KOWALCZYK**, defendant herein, knowingly employed, used, induced, enticed, and coerced a minor female ("S.B.") to engage in sexually explicit conduct, including sexual intercourse and the lascivious exhibition of the genitals and pubic area of said minor, for the purpose of producing visual depictions of such conduct, said visual depictions having been transported in interstate commerce, and having been produced using materials that were mailed, shipped, and transported in interstate or foreign commerce by any means, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

FORFEITURE ALLEGATION

Upon conviction of an offense described above in this indictment, **ANDREW FRANKLIN KOWALCZYK**, defendant herein, shall forfeit to the United States pursuant to Title 18, United States Code, Section 2253, any and all matter which contains visual depictions produced, transported, shipped and received in violation thereof, and any and all property used or intended to be used in any manner or part to commit or to promote the commission of the aforementioned violations.

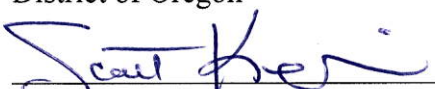
DATED this 20<sup>th</sup> day of March 2012.


A TRUE BILL.

  
OFFICIATING FOREPERSON

Presented by:

S. AMANDA MARSHALL, OSB # 953473  
United States Attorney  
District of Oregon

  
SCOTT M. KERIN, OSB # 965128  
Assistant United States Attorney

  
GARY Y. SUSSMAN, OSB # 873568  
Assistant United States Attorney